

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ILLINOIS NATIONAL INSURANCE COMPANY,  
THE INSURANCE COMPANY OF THE STATE OF  
PENNSYLVANIA, and NATIONAL UNION FIRE  
INSURANCE COMPANY OF PITTSBURGH, PA,

Plaintiffs,

v.

CASE NO. 11-CV-00431 (KBF)

TUTOR PERINI CORPORATION,

Defendant,

v.

CERTAIN UNDERWRITERS AT LLOYD'S, LONDON,

Third-Party  
Defendant.

**ASSENTED-TO MOTION FOR LEAVE FOR ATTORNEYS FROM EDWARDS  
WILDMAN PALMER LLP TO WITHDRAW AS COUNSEL TO THE CHARTIS INSURERS**

Pursuant to Local Rule 1.4, the John D. Hughes, Richard J. McCarthy, and Joshua Gardner (“Edwards Wildman”) respectfully request leave to withdraw as counsel to the Chartis Insurers.<sup>1</sup> As grounds for this Motion, Edwards Wildman states:

1. The Chartis Insurers have hired Jonathan Anthony Cipriani of the law firm Bates Carey Nicolaides LLP (“Bates Carey”) to represent the Chartis Insurers in the appeal of this action. His notice of appearance appears at docket entry No. 132. The Chartis Insurers desire that Bates Carey assume the responsibility of any briefing with respect to the motion for reconsideration that the plaintiff intends to file.

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<sup>1</sup> Illinois National Insurance Company (“Illinois National”), The Insurance Company of the State of Pennsylvania (“ICSOP”), and National Union Fire Insurance Company of Pittsburgh, Pa (“National Union”).

2. Pursuant to Local Rule 1.4, a copy of this motion has been shared with the Chartis Insurers, and they assent to the relief sought herein.

3. All the other parties in this action likewise assent to the relief sought herein.

WHEREFORE, Edwards Wildman respectfully requests leave to withdraw as counsel to the Chartis Insurers.

Respectfully submitted,

ILLINOIS NATIONAL INSURANCE COMPANY, THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA, and NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA,

By its attorney,

Dated: December 7, 2012

/s/ Joshua W. Gardner  
John D. Hughes  
Richard J. McCarthy  
Joshua W. Gardner  
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**Certificate of Service and of Assent**

I, Joshua W. Gardner, hereby certify that this document was served on counsel to all parties through the court's ECF system, and on the Chartis Insurers by email. I further certify that both the other parties and the Chartis Insurers assent to this Motion.

/s/ Joshua W. Gardner